

UNITED STATES DISTRICT COURT

MIDDLE District of PENNSYLVANIA

UNITED STATES OF AMERICA

v.

EMMANUEL LOUISSAINT

JUDGMENT IN A CRIMINAL CASE

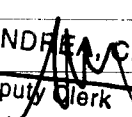
Case Number: 1:11-CR-0201

USM Number: 70284-067

Steven D. Altman
Defendant's Attorney

FILED
HARRISBURG, PA

JUN 29 2012

MARY E. D'ANDREA, CLERK
Per  Deputy Clerk

THE DEFENDANT:

☒ pleaded guilty to count(s) I of the Information

☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.

☐ was found guilty on count(s) _____
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18:1349	Conspiracy to Commit Mail Fraud and Wire Fraud	12/2009	1

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

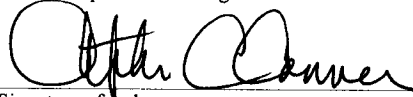
☐ The defendant has been found not guilty on count(s) _____

☐ Count(s) _____ ☐ is ☐ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

June 28, 2012

Date of Imposition of Judgment



Signature of Judge

CHRISTOPHER C. CONNER, U.S. DISTRICT JUDGE

Name and Title of Judge

6/28/12

Date

DEFENDANT: EMMANUEL LOUISSAINT
CASE NUMBER: 1:11-CR-0201

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of: Thirty-One (31) Monrths.

☒ The court makes the following recommendations to the Bureau of Prisons:
The court recommends that a facility nearest defendant's place of residence be designated as the place of confinement.

☐ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____.

☐ as notified by the United States Marshal.

☒ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☒ before 2 p.m. on Wednesday, July 25, 2012.

☒ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

a _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: EMMANUEL LOUISSAINT
CASE NUMBER: 1:11-CR-0201

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of : Three (3) Years.

(See Page 4 for additional conditions of supervised release.)

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- ☒ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. *(Check, if applicable.)*
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. *(Check, if applicable.)*
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. *(Check, if applicable.)*
- ☐ The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense. *(Check, if applicable.)*
- ☐ The defendant shall participate in an approved program for domestic violence. *(Check, if applicable.)*

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: EMMANUEL LOUISSAINT
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ADDITIONAL SUPERVISED RELEASE TERMS

1. The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation officer unless the defendant is in compliance with the installment schedule for payment of restitution, fines, or special assessment.
2. The defendant shall provide the probation officer with access to any requested financial information.
3. The defendant shall apply all monies received from income tax refunds, lottery winnings, judgments, and/or other anticipated or unexpected financial gains to the outstanding court-ordered financial obligation.
4. In the event the restitution is not paid in full prior to the commencement of supervised release, the defendant shall, as a condition of supervised release, satisfy the amount due in monthly installments of no less than \$300, to commence 30 days after release from confinement.

DEFENDANT: EMMANUEL LOUISSAINT
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CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 100.00	\$ N/A	\$ 798,742.84 (*Joint & Several with restitution order imposed in case of USA v. Alexander Ojiri, No. 1:11-CR-0192)

☐ The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case (AO 245C)* will be entered after such determination.

☒ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
See "ATTACHMENT A" hereto for Victims and Restitution Amounts		\$ 798,742.84	Pro Rata

TOTALS	\$ _____	\$ 798,742.84
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- ☐ Restitution amount ordered pursuant to plea agreement \$ _____
- ☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).
- ☒ The court determined that the defendant does not have the ability to pay interest and it is ordered that:
- ☒ the interest requirement is waived for the ☐ fine ☒ restitution.
- ☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: EMMANUEL LOUISSAINT
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SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A ☒ Lump sum payment of \$ 100.00 due immediately, balance due
- ☐ not later than _____, or
X ☒ in accordance ☐ C, ☐ D, ☐ E, or ☒ F below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☒ Special instructions regarding the payment of criminal monetary penalties:
The special assessment is due immediately. During the term of imprisonment, the restitution if payable every 3 months in an amount, after a telephone allowance, equal to 50 percent of the funds deposited into the defendant's inmate trust fund account. In the event the restitution is not paid in full prior to the commencement of supervised release, the defendant shall, as a condition of supervised release, satisfy the amount due in monthly installments of no less than \$300, to commence 30 days after release from confinement. The restitution amount is due jointly and severally with restitution order imposed in the case of USA v. Alexander Ojiri, No. 1:11-CR-0192, as indicated below.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

X Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

Defendant Louissaint is to make restitution of \$798,742.84, for disbursement on a pro rata basis, to the victims set forth in the presentence report, and said restitution is imposed jointly and severally with the restitution order imposed in the case of USA v. Alexander Ojiri, No. 1:11-CR-0192, with no further payment required after the sum of amounts actually paid by all defendants have fully covered the compensable losses.

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.

ATTACHMENT "A"

EXHIBIT A LOSS AMOUNT

Re: 1:11-cr-0201
USA v. Emmanuel
Levisaint

Victim Last Name	Victim First Name	Loss Amount
ACKERMAN	RENEE	\$ 1,500.00
ADAMS	LARRY J	\$ 2,500.00
ALLEN	STEPHEN	\$ 2,673.00
ALLEN	TIM	\$ 2,860.01
ALZOLA	MARIEL	\$ 729.95
AMARAL	LEDA	\$ 895.00
ANDERLICK	MIKE	\$ 2,861.00
ANDRES	ROLAND	\$ 5,056.00
ARNOLD	SEAN	\$ 4,000.00
ARWELL	RANDY	\$ 1,100.00
AZAMI	DAVID	\$ 5,700.00
BARGMANN	JOE	\$ 2,610.00
BARROIS	LAVENDER	\$ 1,800.00
BEACH	JACK	\$ 1,500.00
BELL	JAMES	\$ 3,765.00
BEST	KRIS	\$ 1,000.00
BISHOP	GORDON	\$ 1,541.61
BLACK	STEPHANIE	\$ 1,780.00
BLAKE	JULIETTE	\$ 3,800.00
BOELE	DANIEL	\$ 4,620.41
BOGART	DOROTHY	\$ 3,000.00
BORTMAN	HENRY	\$ 1,000.00
BRANNAN	PAUL	\$ 2,750.00
BRIDLE	BARBARA	\$ 5,200.00
BUCKLEY	SEAN	\$ 6,750.00
BUCZACKI JR	ED	\$ 1,900.00
BULLIVANT	JAMES	\$ 4,800.00
BUNTON	LOLITA	\$ 3,600.00
CADNEY	RUDOLPH	\$ 1,881.00
CAMP	ALEXANDRA	\$ 2,999.99
CANTU	PAUL	\$ 3,250.00
CARDIN	WILLIAM	\$ 3,816.00
CARUSO	SALVATORE	\$ 2,750.00
CASTLE	RANDY	\$ 2,165.00
CASWELL	MICKEY	\$ 3,200.00
CATUBIG	ROSA	\$ 2,800.00
CHA	DAE	\$ 2,660.01
CHALIMBEKOV	ALEX	\$ 4,781.00
CHANG	WILLIAM	\$ 999.99
CHING LIN	FENG	\$ 4,842.00

CLABO	FRANCES	\$ 2,000.00
CLINE	MARK	\$ 4,100.00
COLE	BRANDON	\$ 2,900.00
COLMENARES	MONICA	\$ 1,245.00
COOPER	LILLIAN	\$ 3,000.00
COSCIA	JOHN	\$ 6,900.00
CRUZ	LETICIA	\$ 4,770.01
CUMMINS	JAMES	\$ 1,980.00
DANIEL	SHARI	\$ 5,000.00
DAVIS	HENRY	\$ 3,200.00
DAVIS	RAYSHON	\$ 1,700.00
DAVISON	GEORGE	\$ 1,850.21
DAWSON	DOUGLAS	\$ 4,300.00
DEL TORO	HELEN	\$ 3,750.00
DELGADO APARICIO	RAFAEL	\$ 825.00
DENNIS	TRENTON	\$ 1,881.01
DENT	WILLIAM	\$ 2,071.00
DEPLESSIS	DALEEN	\$ 950.00
DETTMAR	HERMANN	\$ 8,000.00
DETTMAR	KARSTEN	\$ 7,610.00
DIGIULIASN	ANTHONY	\$ 3,100.00
DIMMIT	DAVID	\$ 3,200.00
DODSON	DIANE	\$ 3,165.00
DRABECK	LAWRENCE	\$ 4,570.00
DUBUSSION	ALRITCH	\$ 4,900.00
ECHEGARAY	JORGE	\$ 9,552.00
EDEN	JAMIE	\$ 7,300.00
FABBRO	MATTHEW	\$ 2,630.00
FLETCHER	MARCY	\$ 3,130.00
FLORES	ERNESTO	\$ 3,850.00
FORRESTER	STEVEN	\$ 6,696.00
FOWLER	MARK	\$ 954.02
FROEHLING	SHARAN	\$ 1,780.01
FRY	CODY	\$ 19,536.00
GALICIA TORRES	AIMEE	\$ 5,100.00
GARCIA	NINA	\$ 2,680.00
GARNER	BILL	\$ 2,500.00
GAY	CLIFFORD	\$ 2,850.00
GILL	BEEP	\$ 2,950.00
GOLDSMITH	WENDY	\$ 2,820.00
GOLDSTEIN	STEPHEN	\$ 2,801.79
GRASSO	DOMINIC	\$ 4,800.00
GREEN	DANIEL	\$ 4,776.01
GRIESS	DENNIS	\$ 8,850.00

GUILLEN	MARY	\$ 3,750.00
GUTIERREZ JR	ANDRES	\$ 3,330.01
HAMLET	DAMIEN	\$ 4,780.00
HEAD	DAISY	\$ 925.00
HECK	BONNIE	\$ 2,900.00
HENDERSON	GREGORY	\$ 3,500.00
HENG CHAN	KON	\$ 3,866.01
HOBBS	DAN	\$ 3,765.00
HOIKA	NADINE	\$ 1,200.00
HOLLAND	SHERRAY	\$ 3,200.00
HUMPHREY	CHRISTINE	\$ 2,859.00
HYER	RAYMOND	\$ 4,800.00
JAENKE	APRIL	\$ 850.00
JAMIE	SHARON	\$ 3,336.00
JELCIC	THOMAS	\$ 4,000.00
JOHNSON	MARIANNE	\$ 770.26
JOHNSON	CHRISTOPHER	\$ 4,776.01
JONES	DARRELON	\$ 2,250.00
JONES	LASHANDRA	\$ 3,816.00
JUNG SHON	EUN	\$ 1,963.00
KAMBER	STANLEY	\$ 2,810.00
KAPLAN	DONNA	\$ 859.00
KEELY	LUCILLE	\$ 2,800.00
KELLER	JENNIFER	\$ 2,950.00
KENNEDY	JODY	\$ 11,761.00
KESTILA	DAVID	\$ 3,916.00
KIEL	CHAD	\$ 1,881.00
KINSLEY	JEAN	\$ 2,630.00
KISER	DANIEL	\$ 3,436.00
KOMAREK	STEPHEN	\$ 7,620.00
KOSTER	JENNIFER	\$ 1,075.00
LAONO	LAWRENCE	\$ 2,000.00
LEE	JAMES	\$ 4,776.00
LIGHT	BRIAN	\$ 4,290.00
LONGO	FRANK	\$ 2,720.00
LOPEZ	JOSE	\$ 2,200.00
LUBBEN	PAMELA	\$ 2,860.00
MAGNACCA	JOHN	\$ 2,860.00
MAGNUSON	WARREN E	\$ 11,000.00
MANUKIN	PAUL	\$ 2,811.00
MARION	DENTON	\$ 1,880.01
MARTIN	GIL	\$ 4,240.02
MARVAIN	DANIEL	\$ 2,860.00
MCCLELLAND	KATHY H	\$ 1,914.00

MCCOY	JENNIFER	\$ 6,661.00
MCGILL	RICK	\$ 5,122.00
MEANS	ROBERT	\$ 3,120.00
MEATTE	JASON	\$ 2,600.00
MEDEIROS	BARBARA	\$ 1,600.00
MENDEZ	EVELYN	\$ 2,850.00
MERCEDES	FERMIN R	\$ 2,950.00
MILLER	BEVERLY	\$ 3,100.00
MINASYAN	EDWARD	\$ 2,861.00
MOCK	JAMES	\$ 3,980.00
MOHRWEIS	MIKE	\$ 1,716.00
MOODY	SCOTT	\$ 2,860.01
MORRIS	JOHN J	\$ 6,522.00
MORRIS	RONALD	\$ 6,950.00
MORTON	LAMOR	\$ 6,172.00
MUDRICH	GEORGE	\$ 1,350.00
MUNRO	TED	\$ 4,800.00
NELSON	WARREN E	\$ 2,900.00
NICHOLS	DAWN	\$ 1,000.00
NICHOLS	SEE	\$ 3,800.00
NORWOOD	BOBBY	\$ 3,336.01
OAKES	JOSEPH	\$ 6,500.00
ODEN	R T	\$ 5,440.00
OKUTSU	TOM	\$ 4,800.00
OLIVA	JOSE A	\$ 5,000.00
OLSEN	JEFF	\$ 4,800.00
OMEALLY	MICHAEL	\$ 800.00
ORTEGA	SILVANA	\$ 3,764.00
ORTON	TANIA	\$ 2,380.00
PADIKAL	THOMAS	\$ 3,700.00
PAGLIA	DONALD	\$ 4,290.00
PATEL	CHINTU	\$ 2,900.00
PATEL	HUSS	\$ 3,200.00
PATEL	MOHAN	\$ 3,200.00
PATTON	BARBARA	\$ 2,855.00
PEARSON	BILLIE	\$ 999.99
PEOT	MONIQUE	\$ 1,312.51
PERRELL	HAZEL	\$ 1,400.00
PETERSON	ANN	\$ 663.00
PETRARCA	JESSICA	\$ 4,770.00
PIONTEK	AMY	\$ 6,672.00
PREUSSER	REBECCA	\$ 6,500.00
RAO GANTA	NAGESWARA	\$ 4,770.01
RHEE	SANGHYEON	\$ 3,850.00

RHODES COLTS	APRIL	\$ 1,000.00
RIVIELLO	AMI	\$ 7,476.00
ROS	ALEX	\$ 2,000.00
ROXTON	ANTHONY	\$ 3,800.00
RUND	JESSE	\$ 6,650.00
SABANAL	ROSE	\$ 2,630.00
SAKAE	ANDREW	\$ 1,881.01
SALYERS	LIZBETH	\$ 4,400.00
SEMIKLOSE	AARON	\$ 4,775.00
SEVENE	CHAD	\$ 3,130.00
SHABAZZ	LISA	\$ 1,100.00
SHELTON	DENISE	\$ 800.00
SIDDIQUI	RIZWAN	\$ 1,880.01
SILCHENKO	DIMITRI	\$ 3,280.00
SILVEIRA	MICHAEL	\$ 14,320.00
SINGAR	ARJUN	\$ 2,822.01
SMITH	JERRY	\$ 2,861.01
SMITH	LOGAN	\$ 2,800.00
SMITH	NIKKOLE	\$ 2,630.00
SMITH JR	JERRY L	\$ 2,371.01
SOLANO	FRANCIS	\$ 6,500.00
SONI	SUNILBHAI	\$ 6,500.00
STORY	FREDERICK	\$ 5,000.00
SWEET	MELISSA	\$ 6,000.00
THOMAS	KATHY	\$ 3,436.01
THOMPSON	LORI	\$ 2,300.00
THOMPSON	SAMMIE	\$ 2,271.00
TONCZAK	WILLIAM	\$ 2,500.00
TROTTER	BRIAN	\$ 4,090.01
TRUDE	JESSICA	\$ 1,000.00
TRULL	MARK	\$ 2,500.00
VELEZ	CANDIDO	\$ 2,500.00
VELEZ	WILFREDO	\$ 4,046.00
VILLARROEL	JUAN	\$ 4,146.01
VINAMI	JULIE ROSE	\$ 2,860.00
WAGSTROM	CLEM	\$ 3,314.23
WALLER JR	FRANKI	\$ 1,500.00
WANG	YAN	\$ 746.62
WEAVER	SEBASTIN	\$ 3,810.00
WESSELAK	WILLIAM	\$ 2,875.01
WHITMIRE	JOEL	\$ 2,370.00
WILHELM	LARRY	\$ 2,911.00
WILLIAMS	PAUL	\$ 3,080.01
WILLIS	GAMAL	\$ 7,000.00

WILSON	BRIAN	\$ 3,086.00
WINGFIELD	HEATHER	\$ 3,450.00
WINTER III	ROBERT	\$ 4,776.00
WOOSLEY	GLENN	\$ 2,500.00
YODER	BROCK	\$ 2,221.00
YOO	JOHN H	\$ 6,500.00
ZAYOUR	MIKE	\$ 7,786.01
ZUNIGA	LAURA	\$ 3,000.00
		\$ 798,742.84